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## Facsimile Transmission

Date: October 30, 2007

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FROM: June Kaps for Brian L. Michaelis

PHONE: (617) 946-4830

RE: US Patent No. 6529214

REPLY FAX NO.: (617) 790-6736

File No:	55868-8	Number of Pages, Including Cover:	9
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| <input type="checkbox"/> Per your request    | <input type="checkbox"/> Please review and revise if necessary |
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### MESSAGE:

Mr. Bernstein, attached is the office action that our firm (at the time) never received, but is in the certified file history a potential Licensee ordered and is questioning. Thank you for your assistance.

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

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HJS

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/311,818	CHASE ET AL	
	Examiner	Art Unit	
	Sy D Luu	2174	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2002.
- 2a) ☐ This action is FINAL.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

U.S. Patent and Trademark Office  
 PTO-326 (Rev. 04-01)

Office Action Summary

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**DETAILED ACTION**

1. Claims 1-20 are pending in this application. Claims 1, 14 and 18 are independent claims. This action is made Non-Final.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Allowable Subject Matter***

3. Applicant is advised that the Notice of Allowance mailed is vacated. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.
4. The indicated allowability of claims 1-20 is withdrawn in view of the newly discovered reference(s) to Harada (US 6,288,789 B1). Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Harada (US 6,288,789).

As per claim 1, Harada teaches an interactive image display system (Fig. 2) for displaying a printed article as it will appear when printed comprising:

a user interface component (fig. 2), to accept information from a user for producing said printed article (col. 2, lines 50-52 and col. 3, lines 1-20), and to display a graphic image representing said printed article to said user (col. 2, line 55 - col. 3, line 7);

a graphic layout component (fig. 2; *Host 103 and CPU 207*), to process said information and produce a graphic description file based on said information (col. 2, lines 47-58; *where the graphic description file is read on a printer language, which is usually a PostScript file or a page description file or Printer Control Language (PCL)*), said graphic description file (*the printer language*) being the only file needed for a batch printing process for printing said printed article; and

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an image producing component (fig. 2; *printer 105, CPU 206*), to process said graphic description files and produce said graphic image based on said graphic description file (col. 2, line 57; "*develops the bit map image 202*"), said graphic image for display to said user by said user interface component (col. 2, line 47 – col. 3, line 19).

Claim 18 similar in scope to claim 1, and is therefore rejected under similar rationale.

*Claim Rejections - 35 USC 103*

7. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable Farros et al. ("Farros", US # 5,930,810) in view of Harada (US 6,288,789 B1).

As per claim 1, Farros teaches an interactive image display system for displaying a printed article as it will appear when printed comprising: a user interface component (fig. 4, element 308), to accept information from a user for producing said printed article (col. 2, lines 60-65), and to display a graphic image representing said printed article to said user (fig. 5; col. 2, lines 55-60); a graphic layout component (fig. 1, Front-end operations 100; col. 4, lines 17-27), to process said information and produce graphic description files based on said information (fig. 1, electronic-files 117-119), said graphic description files to be used in a batch printing process for printing said printed article (col. 2, lines 65-67); and an image producing component, to process said graphic description files and produce said graphic image based on said graphic description files; said graphic image for display to said user by said user interface component (col. 4, lines 39-48).

Farros does not teach said graphic description files to be one file and being the only file needed for the batch printing process. Harada teaches a method for creating a graphic

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description file based on information accepted from a user for producing a printed article, wherein the graphic description file is the only file needed for a batch printing process (abstract, col. 2, lines 47-58; *where the graphic description file is read on a printer language, which is usually a PostScript file or a page description file or Printer Control Language (PCL)*). It would have been obvious to an artisan at the time of the invention to combine Harada's teaching of using only one graphic description file for the batch printing process with Farros in order to simplify the management of files to be transmitted as well as to improve on the efficiency and compactness of information to be transmitted to a remote printing installation.

As per claim 2, Farros teaches said user interface component to maintain said information from said user, allowing said user to modify a part of the information in order to view changes in said displayed printed article (col. 2, lines 60-65).

As per claims 3 and 4, Farros teaches said user interface component to maintain said information from said user, allowing said graphic layout component to produce a graphic description file, and said image producing component to produce a graphic image for a different printed article, and said information maintained by said user interface component to be used for preparing a print job for said user (col. 4, lines 16-48).

As per claims 5-7, Farros teaches said graphic image to be displayed with a background image representing an article to be printed on, wherein said background image is an image of paper stock to be printed on and said background image is sized to be the same size as said graphic image (col. 6, lines 58-65; fig. 10, elements 1007-1011).

As per claim 8, although Farros does not expressly disclose that the user can modify font sizes by specifying a percentage increase or decrease, Farros does teach that the users can modify

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font sizes (col. 8, lines 65-67). Since it is well known in the art that one of the manner that users can modify font sizes for display or printing is by specifying a percentage increase or decrease, it would have been obvious to an artisan at the time of the invention to include such a feature with Farros system to further provide a quick and easy means for a user's to modify font sizes.

As per claim 9, Farros teaches said graphic description file to be a Postscript file (col. 4, lines 42-43).

As per claims 10-11, Farros teaches said information from said user to include an indication of a predefined template, said predefined template including layout information for a printed article; and said graphic layout component, uses said predefined template to produce said graphic description file, and said predefined template includes at least one area for printing (col. 4, lines 21-27).

As per claim 12, Farros teaches said interactive display system to provide graphic images representing a plurality of related printed articles from said information from said user (col. 4, lines 21-30).

As per claim 13, Farros teaches said user interface component interacts with said user over the internet (col. 7, lines 7-10).

Claim 14 is similar in scope to the combination of claims 5 and 11, and is therefore rejected under similar rationale.

Claims 15-16 are similar in scope to claims 6-7 respectively, and are therefore rejected under similar rationale.

As per claim 17, Farros teaches the method to include the steps of upon receiving an indication that said printed article is to be printed, storing said text information and an indication

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of said selected predefined template along with an order indication number; and upon receiving an indication that said printed article is ready to be printed, producing a graphic description file based on said text information and predefined template, said graphic description file to be used for said printing process (col. 5, lines 12-32).

Claims 18 and 19-20 are similar in scope to claims 2 and 12-13 respectively, and are therefore rejected under similar rationale.

#### *Inquires*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.


The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
SY D. LUU  
PRIMARY EXAMINER  
December 16, 2002

*John Kincaid*  
*571 270 4048*



# Notice of References Cited

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Applicant(s) Patent Under  
Reexamination  
CHASE ET AL

Examiner

Sy D Luu

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## U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-8,268,789	09-2001	Herada, Takuto	358/1.15
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

## FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

## NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office  
 PTO-892 (Rev. 01-2001)

Notice of References Cited

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